

Judgment in a Civil Case

United States District Court
WESTERN DISTRICT OF NEW YORK

NICHOLAS J. SPITTLER

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 14-CV-279

v.

CAROLYN W. COLVIN,
Acting Commissioner
of Social Security Administration

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: adopting Judge Foschio's Report and Recommendation. The defendant's motion for judgment on the pleadings is Denied. The plaintiff's motion is Granted as to the request for remand and Denied as to the request for judgment on the pleadings: and the matter is remanded in accordance with the Report and Recommendation.

Date: August 23, 2016

MARY C. LOEWENGUTH
CLERK OF COURT

By: s/K.McMillan
Deputy Clerk